

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPTICAL MODULATOR/DETECTOR BASED ON RECONFIGURABLE DIFFRACTION GRATING

the specification of which is attached hereto unless the following is checked:

| (x) | was filed on 10/22/99, as United States Application No. | 09/425,787 or PCT |
|-----|---|---|
| | International Application No. | (Include Series Code) , bearing attorney docket No. |
| | , and was amended on | (if applicable). |

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Codo of Federal Regulations, \$1.56.

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Prior Foreign PCT International Application(s) and any priority claims under 35 U.S.C. §§119 and 365(a),(b):

| (Number) | (Country-if PCT, so indicate) (DD/MM/YY Filed) | () | 00 [] |
|----------|--|------------|-----------|
| (Number) | (Country-if PCT, so indicate) (DD/MM/YY Filed) | YES [] | [] NO |
| (Number) | (Country-if PCT, so indicate) (DD/MM/YY Filed) | [] YES | [] 00 |

I hereby claim the benefit under Title 35, United States Code, \$119(e) of any United States provisional application(s) listed below:

| 60/078,984 | 03/23/98 | |
|----------------------|---------------|--|
| (Application Number) | (filing date) | |
| | • | |
| (Application Number) | (filing date) | |

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(PCT Appl. No.)

(U.S. Ser. No.)

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| M. Lawrence Oliverio | 30,915 | Paul D. Sorkin | 39,039 | Lisa E. Winsor | 44,405 |
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| Gary S. Engelson | 35,128 | Robert E. Rigby, Jr. | 36,904 | Alan W. Steele | P-45,128 |

Address all telephone calls to Timothy J. Oyer at telephone no. (617) 720-3500. Address all correspondence to:

> Timothy J. Oyer c/o Wolf, Greenfield & Sacks, P.C., Federal Reserve Plaza 600 Atlantic Avenue Boston, MA 02210-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful falso statements may jeopardize the validity of the application or any patent issued thereon.

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|-----------|-----------|---------|
| nventor's | signature | |

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Full name of first inventor Olivier J. A. Schueller

Citizenship France

Residence & P.O. Address 19 Highland Avenue, Apt. 1, Somerville, MA 02143

Inventor's signature

Full name of second inventor David C. Duffy

Citizenship Great Britain

Residence &P.O. Address 18 Forest Street, Cambridge, MA 02140

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Full name of third inventor John A. Rogers

Citizenship United States

Residence & P.O. Address 1200 Springfield Avenue, Apt. 1C, New Providence, NJ 07974

Inventor's signature

Full name of fourth inventor Scott T. Brittain

Citizenship United States

Residence & P.O. Address 2048 Jane Lane, Southside, AL 35907

Inventor's signature

Full name of fifth inventor George M. Whitesides Citizenship United States

Residence & P.O. Address 124 Grasmere Street, Newton, MA 02158

Date

Date

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3.



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| | OPTICAL MODULATOR/DETECTOR BASED ON 1 | RECONFIGURABLE DIFFRAC | TION GRATI | NG | |
| the spe | cification of which is attached hereto unle | ss the following is ch | ecked: | | |
| [X] | was filed on 10/22/99, as United States App | | | | • |
| | International Application No, and was amended on | , be | aring atto (if a | pplicable) | et No. |
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| _i ackno _applica | wledge the duty to disclose information whi tion in accordance with Title 37, Code of E | ch is material to the ederal Regulations, \$3 | examinati 1.56. | on of this | 3 |
| \$365(b) any PCI Laisted certifi | y claim foreign priority benefits under Tit of any foreign application(s) for patent of International application designating at labelow and have also identified below any focate or PCT International application having the priority is claimed: | r inventor's certifica east one country other prejon application for | te, or sec r than the patent or | United Strains | tates |
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| Prior I | oreign PCT International Application(s) and | any priority claims u | Priori | tv. | , |
| 365 (a) | (b); | · · · · · · · · · · · · · · · · · · · | Claime | • | |
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| | (Country-if PCT, so indicat | e) (DD/MM/YY Filed) | YES | NO | |
| == | | | [] | [] | |
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| i (Name | , | | • | | |
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| | 60/078,984 | 03/23/98 | | | . • |
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| DAVID WOLL | 1/,328 | Peter o. Gordon | 33,101 | | |
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| | | | | | |

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John A. Rogers

United States Citizenship

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Inventor's signature

Full name of fourth inventor Scott T. Brittain Citizenship United States

Residence & P.O. Address 2048 Jane Lane, Southside, AL 35907

Inventor's signature George M. Whitesides Full name of fifth inventor

United States Citizenship Residence & P.O. Address 124 Grasmere Street, Newton, MA 02158



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Date

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Full name of fourth inventor Scott T. Brittain Citizenship United States

Citizenship

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Inventor's signiture Full name of tith inventor George M. Whitesides

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| | | Claim | ed [1 |
|----------|--|---------------------------------------|----------|
| (Number) | (Country-if PCT, so indicate) (DD/MM/YY Filed) | YES | ио |
| | \ | [] | [] |
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| | | · · · · · · · · · · · · · · · · · · · | [] |
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| | PCT International App | lications | designating the U | Inited States: | | . : ' |
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| | I hereby appoint the transact all business | following in the P | attorney(s) and/datent and Trademan | or agent(s) to prock Office connecte | osecute this applicatied therewith: | on and to |
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| | statements made on in statements were made punishable by fine or | formation with the imprisor llful fal | and belief are b knowledge that wi ment, or both, un | elieved to be tru llful false state der Section 1001 | edge are true and tha e; and further that t ments and the like so of Title 18 of the Un alidity of the applic | hese made are ited State |
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| | Townstowle signature | | , | Date | • | |
| | Inventor's signature Full name of first in | ventor | Olivier J. A. Sch | Date ueller | | |
| | Inventor's signature Full name of first in Citizenship France Residence & P.O. Addr | ventor | | ueller | | |
| | Full name of first in Citizenship France | ventor | | ueller | | |
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Date

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Attorney's Docket No. H0498/7084

Applicants:

Olivier J.A. Schuell r tal.

Serial No.:

09/425,787

Filed:

October 22, 1999

For:

OPTICAL MODULATOR/DETECTOR BASED ON RECONFIGURABLE

DIFFRACTION GRATING

DECLARATION CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(e) and 1.27(d) - NONPROFIT ORGANIZATION)

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: PRESIDENT AND FELLOWS OF HARVARD COLLEGE University Place, 4th Floor South, ADDRESS OF ORGANIZATION: 124 Mount Auburn Street, Cambridge, MA 02138-5701

TYPE OF ORGANIZATION: UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

l hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code with regard to the invention entitled OPTICAL MODULATOR/DETECTOR BASED ON RECONFIGURABLE DIFFRACTION GRATING by inventor(s), Olivler J.A. Schueller, David C. Duffy, John A. Rogers, Scott T. Brittain and George M. Whitesides, described in

| [| [] [x] | the specification filed herewith application serial no. 09/425,787 patent no, issued | , filed October 22, 1999 | • |
|---|-----------|--|--------------------------|----|
| į | x] | application serial no. 09/425,787 | , filed October 22, 19 | 99 |

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

| [x] [] | no such person, concern, or organizations lis | tion ited belo | w* |
|------------|---|-------------------|----|
| Į J | poround, admission | | |

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR

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COPY

FULL NAME ADDRESS

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING TITLE IN ORGANIZATION ADDRESS OF PERSON SIGNING

Joyce Brinton Director

Office for Technology and Trademark Licensing Harvard University, University Place, Fourth Floor South

124 Mount Auburn Street, Cambridge, MA 02138-5701

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Date

Signature

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